IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION NO : 23079 of 2003

Between:

1.Gulrez Welfare Association, Registration No. 233, Dr.No. 6-3-1103, Rajbhavan Road, Somajiguda, Hyderabad - 82, rep by its Secretary, Smt.Badrunnissa Koonda.

2.Sri Sri Yunus Koonda, Ahmed Koonda
R/o. Flat No. 205 Gulrez Apartments 6-3-1103, Hyderabad.

..... PETITIONERS

AND

1. The A.P. Pollution Control Board, Second Floor Huda Complex, Maitreyi Vanam, Sanjeevreddinagar, rep by its Secretary.

2. The Commissioner of Police, West Zone, Hyderabad.
3. The Housing & Municipal Administration Urban Development Department,rep by its Principal Secretary, Secretariat, Hyderabad.,
4. M/s. Jaya Gardens, Hyderabad. Raj Bhavan Road, Somajiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus directing the respondents a) to implement the clauses of GO Ms.No. 227 dated 11-7-2000 and consequently pending disposal of the W.P., to direct the third respondent to declare the premises bearing No. 3-6-221 and 6-3-1102, Raj Bhavan Road, Somajiguda, Hyderabad, as a silent zone, b) to direct the second respondent-Traffic Police to ensure that the guests or persons attending the function hall - 4th

respondent shall not park their vehicles in the approach road from Raj Bhavan Road leading to Gulrez Apartments i.e. the petitioners apartments c) direct the first second and third respondents to see that no loudspeakers, public address system, beating of drums of tom-tom or blowing of either a musical or pressure or trumpet or beats or sound of any instrument, in respect of the areas the day time and night time standards of ambient noise levels shall be maintained and will become effective for implementation after silent zones are notified.

Counsel for the Petitioner: Ms.G.SUDHA (not present)

Counsel for the Respondent No.1: Mr.S.V.BHATT

Counsel for the Respondent No.2: G.P. for Home

Counsel for the Respondent No.3: G.P.for Municipal Admn.

Counsel for the Respondent No.4: Mr.A.Narasimha Reddy

(not present).

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

In this Petition, a grievance is made by the petitioner-association against Respondent No.4 for causing noise and parking nuisance because of use of the property as a function hall. We have already disposed of Writ Petition No. 5591 of 2002 today, by a separate order directing the second respondent to ensure due compliance of G.O.Rt.No.227, dated: 11.7.2002, and, we dispose of this Writ Petition also with the same directions as are issued in W.P.No.5591 of 2002 to be complied with within a period of three months from the date of the receipt of a copy of this order. No costs.

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DEVINDER GUPTA, C.J.

12.08.2004.

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C.V.RAMULU, J.

VR

To

1. The Secretary, A.P. Pollution Control Board, Second Floor Huda Complex, Maitreyi Vanam, Sanjeevreddinagar,

2. The Commissioner of Police, West Zone, Hyderabad.

With a copy of Judgment in
WP.No.5591 of 2002

3. The Principal Secretary to Government of A.P., Housing & Municipal Administration Urban Development Department, Secretariat, Hyderabad.,
4. Two CCs to Govt. Pleader for Home, High Court Bldgs, Hyd.(OUT).

5. Two CCS to Govt. Pleader of Municipal Administration, High Court Bldgs., Hyderabad (OUT).

6. Two CD copies.